



132 S. RODEO DRIVE, FOURTH FLOOR
BEVERLY HILLS, CA 90212 • 424.203.1600

260 MADISON AVENUE, SIXTEENTH FLOOR
NEW YORK, NY 10016 • 212.799.1400

WWW.HARDERLLP.COM

August 20, 2020

VIA ECF

Honorable Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square, Room 2102
New York, New York 10007

Re: BYD Company Ltd. v. VICE Media LLC (20-cv-03281)

Dear Judge Nathan:

This firm represents Plaintiff BYD Company Ltd. (“BYD”) in the above-captioned action. On August 17, 2020, VICE Media LLC (“VICE”) filed a motion to dismiss BYD’s Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6). We write, pursuant to Rule 3.F of Your Honor’s Individual Practices, to notify Your Honor and VICE that BYD will rely on the Complaint and does not intend to file an amended pleading at this time. However, VICE reserves the right to request leave to amend should the Court, in considering the motion, find any of the allegations to be deficient in any way for whatever reason.

Respectfully submitted,



CHARLES H. HARDER Of
HARDER LLP

cc: All counsel of record (by ECF)